

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CRAIG SAUNDERS : CIVIL ACTION

v. :

FRANKLIN J. TENNIS, et al. : NO. 09-1916

ORDER

AND NOW, this 26th day of May, 2010, it is hereby ORDERED that the Petition for Writ of Habeas Corpus (ECF No. 1), filed pursuant to 28 U.S.C. § 2254, is DENIED.

A certificate of appealability is GRANTED, pursuant to 28 U.S.C. § 2253(c)(2), with respect to the following issues related to the Petitioner's Batson claim (Claim One):

1. To what degree deference was due the certificate submitted by the trial court, pursuant to 28 U.S.C. § 2245.
2. Whether Commonwealth exercised its peremptory strikes in a racially discriminatory manner in violation of Batson v. Kentucky, 476 U.S. 79 (1986),
3. Whether Petitioner's Batson claim is subject to waiver.

The Clerk shall close this case.

BY THE COURT:

/s Michael M. Baylson

Michael M. Baylson, U.S.D.J.